

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

ASHLEY VILELLA, on behalf of herself,
FLSA Collective Plaintiffs and the Class,

Plaintiff	Case Number
vs.	22-cv-02291
PUP CULTURE LLC et al	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

ELISA MUNGUIA, on behalf of herself,
FLSA Collective Plaintiffs, and the Class

Plaintiff	Case Number
vs.	22-cv-05744
PUP CULTURE LLC et al	
Defendant	

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

The case closed after a settlement. Specifically, Defendants tendered an Offer of Judgment pursuant to Fed. R. Civ. Pro. 68, which was accepted by that matter's plaintiff.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly filed action and the prior action both involve the same Defendants, with only the plaintiffs being different. Further, while Plaintiff in the newly filed action is different, both cases alleged class wide wage and hour violations arising from the same transaction and occurrence and sounding in violations of the Fair Labor Standards Act, and New York Labor Law.

Assigning this newly filed action to Judge Furman, who presided over earlier filed action, and Magistrate Judge Parker, to whom the case was referred for settlement purposes, will likely to save judicial effort and effort of the parties because the class claims between the actions are virtually identical. Litigating the same issues twice before a new Judge would further no legitimate interests. For these reasons, Plaintiff respectfully requestd that this Court designate these cases as related and transfer the newly filed case to Judge Furman and Magistrate Judge Parker.

Signature: /s/ C.K. Lee

Date: 03/17/2023

Lee Litigation Group, PLLC

Firm: _____